

BARNSELY METROPOLITAN BOROUGH COUNCIL

Report of the Executive Director Core Services to Annual Council on 19th May 2023

Local Government and Housing Act 1989: Review of Allocation of Seats to Political Groups

1. Purpose of Report

To enable the Council to review the allocation of seats on the Scrutiny Committee and Regulatory Boards as required by Section 15 of the Local Government and Housing Act 1989.

2. Recommendations

2.1 That the allocation of seats on the Scrutiny Committee and Regulatory Boards be reviewed in accordance with Section 15 of the Local Government and Housing Act 1989;

2.2 That seats be allocated to Political Groups on the basis set out on Section 6 of the report.

3. Background

Section 15 of the Local Government and Housing Act 1989 requires the Council to review the allocation of seats on its ordinary committees (i.e. Overview and Scrutiny Committee and Regulatory Boards) at each Annual Council Meeting.

In accordance with the Local Government (Committees and Political Groups) Regulations 1990 the Proper Officer has been advised of the following Groups:

- Labour Group
- Liberal Democrat Group
- Conservative Group

4. Current Position

The composition of political groups on the Council is now as follows:

- Labour Group 48 Members
- Liberal Democrat Group 10 Members
- Conservative Group 2 Members
- Reform UK 1 Member

Two Members have chosen not to join a political group.

5. The Relevant Principles

- 5.1 Section 15 of the Local Government and Housing Act 1989 requires the allocation of seats on the Ordinary Committees of the Authority to be reviewed at each Annual Council Meeting. The “Ordinary Committees” of the Authority represent, in the case of Barnsley, the Overview and Scrutiny Committee, the Planning Regulatory Board, the General Licensing Regulatory Board and the Appeals, Awards and Standards Regulatory Board.
- 5.2 The legislation does not require the review of the allocation of seats to Political Groups on either the Cabinet, the Area Councils and Ward Alliances, or the Audit and Governance Committee.

These are not “Ordinary Committees” of the Authority. Appointments to Outside Bodies are also not affected by the legislation.

- 5.2 The following principles are applied in carrying out such a review in accordance with the legislation and the Council’s Constitution:
- (a) that not all the seats on the body are allocated to the same political group;
 - (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority’s membership;
 - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
 - (d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

6. Application of the Relevant Principles

- 6.1 The following allocation reflects the above principles.
- 6.2 Allocation of Seats

Applying the above principles would lead to the following allocation:

6.2.1 Overview and Scrutiny Committee: 34 Members

(Under the Council’s Constitution, the Members of each of the Work Stream meetings are appointed from those Members appointed to the Overview and Scrutiny Committee)

Labour Group 26

Conservative Group 1
Independent (Cllr Wray) 1
Independent (Cllr Lodge) 1
Liberal Democrat Group 5

6.2.3 Sustainable Barnsley Work Stream: 12 Members

Labour Group 9
Independent (Cllr Wray) 1
Liberal Democrat Group 2

6.2.4 Growing Barnsley Work Stream: 12 Members

Labour Group 10
Independent (Cllr Lodge) 1
Liberal Democrat Group 1

6.2.5 Healthy Barnsley Work Stream: 12 Members

Labour Group 9
Conservative Group 1
Liberal Democrat Group 2

6.2.6 Planning Regulatory Board: 26 Members

Labour Group 20
Conservative Group 1
Independent (Cllr Wray) 1
Liberal Democrat Group 4

6.2.7 General Licensing Regulatory Board: 26 Members

Labour Group 19
Conservative Group 1
Independent (Cllr Lodge) 1
Reform UK 1
Liberal Democrat Group 4

6.2.8 Appeals, Awards and Standards Regulatory Board: 26 Members

Labour Group 20
Reform UK 1
Liberal Democrat Group 5

6.2.9 Statutory Licensing Regulatory Board

The Licensing Act 2005 prescribes that the number of Members on a Local Authority Licensing Committee shall not exceed 15. Applying the principle of proportionality that is applied to the “regular” Committees gives rise to the following composition:

Labour Group 12
Conservative Group 1

Liberal Democrat Group 2

Under the Council's Constitution, the 15 Members of the Statutory Licensing Regulatory Board are appointed from those Members appointed to the General Licensing Regulatory Board.

- 6.3 Items 13 and 15 on the Summons address the appointment of individual Members to the relevant Bodies. Nominations are to be proposed in respect of individual Members to be appointed to the relevant bodies to reflect the above allocation.

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